

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION  
No. 7:16-CV-409-D

TRESSA METCALF,

Plaintiff,

v.

CHUCK WALTERS,


Defendant.

**ORDER**

On January 19, 2017, defendant moved to dismiss the action for lack of personal jurisdiction [D.E. 11]. Plaintiff did not respond to the merits of the motion. Instead, on April 17, 2017, plaintiff moved to dismiss the action without prejudice pursuant to Rule 41(a) of the Federal Rules of Civil Procedure [D.E. 14].

This court lacks of personal jurisdiction over the defendant. See [D.E. 12, 12-1]. Thus, the court GRANTS defendant's motion to dismiss [D.E. 11]. Defendant's motion for attorney's fees [D.E. 11] is DENIED.

SO ORDERED. This 24 day of April 2017.

  
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JAMES C. DEVER III  
Chief United States District Judge